



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/632,954	08/04/2000	Darryl Black	102689-36/00-U0037	1072

21125 7590 03/05/2004

NUTTER MCCLENNEN & FISH LLP  
WORLD TRADE CENTER WEST  
155 SEAPORT BOULEVARD  
BOSTON, MA 02210-2604

EXAMINER
----------

NGUYEN, STEVEN H D

ART UNIT	PAPER NUMBER
----------	--------------

2665

DATE MAILED: 03/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/632,954

Applicant(s)

BLACK ET AL.

Examiner

Steven HD Nguyen

Art Unit

2665

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 August 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2, 4.

- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 18 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. Claim 18 recites the limitation "the user interface" in lines 2. There is insufficient antecedent basis for this limitation in the claim.

### ***Information Disclosure Statement***

4. The information disclosure statement filed on 11/30/00 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each U.S. and foreign patent; each publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

### ***Drawings***

5. New corrected drawings are required in this application because the applicant submits a proposed drawing on 12/05/200. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to

Art Unit: 2665

avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-7, 14-18, 19-21, 23 and 25-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Daly (USP 5748896).

Regarding claims 1 and 19, Daly discloses (Figs 1-11 and col. 1, lines 5 to col. 18, lines 67) a method of managing a telecommunications network comprising providing network management access through a user profile including defining management capabilities through the user profile; adding a user profile to a network management system (Fig 5a, new user button is used to add new user profile); editing parameters within the user profile to establish management capabilities (Fig 5b-3 and Fig 5c used to edit the parameters for allowing the user to established management capabilities), and a list of network devices capable of being managed through the user profile (Fig 5a, 5B-1 and 5B-3 which include the servers that allows the user to set access level such read and write or read only) see col. 10, lines 28-66, col. 12, lines 8-21; col. 12, lines 66 to col. 13, lines 28).

Regarding claims 2 and 18, Daly discloses providing network management access further comprises displaying a user interface is a graphical user interface (GUI) in accordance with the user profile (Fig 5).

Regarding claims 3 and 20, Daly discloses the network management system includes a plurality of user profiles and receiving a user name and password; comparing the received user name and password against user names and passwords stored in the plurality of user profiles; and displaying a user interface in accordance with a user profile including the received user name and password (Col 10, lines 45-54).

Regarding claim 4, Daly discloses defining management capabilities comprises assigning an access level corresponding to specific management capabilities (Fig 5).

Regarding claims 5-7, Daly discloses assigning an access level comprises assigning an administrator access level to permit a user to read and write physical and logical objects; a provisioned access level to permit a user to read physical objects and read and write logical objects; a customer access level to permit a user to read their logical objects (Fig 5b-3).

Regarding claims 14-17, Daly discloses setting network management policy flags within the user profile for setting a password control policy flag to enable a user to change a password within the user profile; setting an account disabled policy flag to disable the user profile and prevent access; setting an add device policy flag to enable a user to add network devices to the list of devices capable of being managed through the user profile (Fig 5 discloses a user set the flag for in the use profile for changing password, disable account and adding a network device).

Regarding claim 21, Daly discloses receiving input from a user through the user interface; configuring a network device from the list of network devices within the user profile in

Art Unit: 2665

accordance with the management capabilities in the user profile (col. 12, lines 8-21, the user configures the hard drive or folder to be shared with the other users and set access level for the interface; provisioning services within a network device from the list of network devices within the user profile in accordance with the management capabilities in the user profile (col. 12, lines 8-21 discloses a network device is provisioned into a plurality of network services; Fig 5B-1).

Regarding claim 25, Daly discloses receiving user profile data from a user; and modifying parameters within the user profile in accordance with the received user profile data (Fig 5c, receiving the parameters of the user profiles from the user and modifying the parameters in the user profile database according to the received information such password).

Regarding claim 26, Daly discloses copying the user profile to another user profile; and editing parameters within the other user profile to establish management capabilities and a list of network devices capable of being managed through the other user profile (Fig 5, Duplicate USER and modifying the parameters to create a new user).

### ***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 8-13, 22 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Daly.

Art Unit: 2665

Regarding claims 8-11, Daly fails to disclose the claimed invention.. However, the examiner takes an official notice that an advantage of providing a list of network address of the network devices wherein listing network devices further comprises listing an SNMP community string, retry value, timeout for each network device are well known and expected in the art at the time of invention was made to manage the network devices on the network.

Regarding claims 12-13, Daly fails to fully disclose the claimed invention. However, the examiner takes an official notice that a method and advantage of designating a primary and secondary network management server associated with the user profile are well known in the art at the time of invention was made to implement a primary and backup server for allowing the user to access the network. The motivation would have been to reduce a down time of the network.

Regarding claim 22, Daly fails to fully disclose claimed invention. However, the examiner takes an official notice that a method and advantage for enabling or disabling a port of the network device is well known and expected in the art at the time of invention was made to provide a network security.

Regarding claim 24, Daly fails to disclose the claimed invention. However, a method and system for allowing a network administrator to set up a SONET path within the network device is well known and expected in the art at the time of invention was made to implement a function into a terminal for allowing a user to set a SONET path according to the access level which is defined in the access control list.

Art Unit: 2665

***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Van Dyke (USP 6412070) discloses a method and system for allowing a user to setting the access control right on the network devices such password, read and write the physical or logical etc.

Mastrianni (USP 6615276) discloses a method and system for providing a user to set up a network user profile for managing the network devices.

Montague (USP 5675782) discloses a method and system for controlling the level of access to the networks based on user profile.

North (USP 6505245) discloses a method and system for managing devices.

Bahlmann (USP 6195689) discloses a method and system for allowing a user to add, view, modify and delete the parameters from network definitions, head end nodes network policies, custom devices and static Internet protocol addresses used by provisioning servers. Tools also allow to view and modify top-level network policy group definitions.

Krishnamurthy (USP 6389464) discloses a system for managing the network.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven HD Nguyen whose telephone number is (703) 308-8848. The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy D Vu can be reached on (703) 308-6602. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.



Application/Control Number: 09/632,954

Page 8

Art Unit: 2665

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

Steven HD Nguyen  
Primary Examiner  
Art Unit 2665  
2/26/04